

Applicant : Don Fishbein  
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**REMARKS**

Claims 1, 2, and 16 were pending in the subject application. By this amendment applicant has canceled claims 1, 2 and 16 and added new claims 30-45.

Support for new claim 30 may be found in the specification at, inter alia, page 2, lines 7-8; page 4, line 24; page 7, lines 14-16; page 9, lines 22-25; page 12, line 7; page 12, lines 21-22; and page 15, lines 23-26.

Support for new claim 31 may be found in the specification at, inter alia, page 10, lines 4-5.

Support for new claims 32-33 may be found in the specification at, inter alia, page 10, lines 4-5 and page 10, lines 7-8.

Support for new claim 34 may be found in the specification at, inter alia, page 10, lines 4-5 and page 17, line 10.

Support for new claim 35 may be found in the specification at, inter alia, page 10, lines 4-5.

Support for new claim 36 may be found in the specification at, inter alia, page 8, line 29.

Support for new claim 37 may be found in the specification at, inter alia, page 8, line 30 and page 9, lines 18-20.

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Support for new claim 38 may be found in the specification at, inter alia, page 8, line 29.

Support for new claim 39 may be found in the specification at, inter alia, page 8, line 34; page 9, line 1; and page 10, line 10.

Support for new claim 40 may be found in the specification at, inter alia, page 8, line 34; page 9, line 4; and page 10, line 11.

Support for new claim 41 may be found in the specification at, inter alia, page 10, line 11.

Support for new claim 42 may be found in the specification at, inter alia, page 4, lines 10-11 and page 8, lines 3-9.

Support for new claim 43 may be found in the specification at, inter alia, page 7, line 16 and page 8, lines 12-17.

Support for new claim 44 may be found in the specification at, inter alia, page 11, line 1.

Support for new claim 45 may be found in the specification at, inter alia, page 22, lines 14-16.

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Applicant maintains that these amendments raise no issue of new matter. Accordingly, claims 30-45 will be pending upon entry of this Amendment.

#### **Statutory Type Double Patenting Rejection**

In the June 1, 2005 Office Action, the Examiner provisionally rejected claims 1, 2, and 16 under statutory type double patenting under 35 U.S.C. §101 as claiming the same invention as that of claims 1, 2 and 16 of copending application, U.S. Publication No. 2004/0235940 A1. The Examiner stated that this is a provisional double patenting rejection since the conflicting claims have not in fact been patented.

In response, applicant, without conceding the correctness of the Examiner's rejection, has canceled claims 1, 2 and 16. Accordingly, this rejection is now moot.

#### **Obviousness Type Double Patenting Rejection**

On page 3, of the June 1, 2005 Office Action, the Examiner rejected claims 1, 2, and 16 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1 and 12 of U.S. Patent No. 6,576,659.

Furthermore, on page 4 of the June 1, 2005 Office Action, the Examiner rejected claims 1, 2, and 16 under the judicially

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created doctrine of obviousness-type double patenting as being unpatentable over claims 1 and 12 of U.S. Patent No. 6,828,313.

In response, applicant, without conceding the correctness of the Examiner's rejections, has canceled claims 1, 2 and 16. Accordingly, these rejections are now moot.

### Conclusion

In view of applicant's amendments and remarks herein, applicant respectfully requests that the Examiner reconsider and withdraw all of the rejections set forth in the June 1, 2005 Office Action.